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असाधारण

EXTRAORDINARY

भाग II—खण्ड-1

PART II—Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।
Separate paging is given to this Part in order that it may be filed
as a separate compilation

MINISTRY OF LAW

(Legislative Department)

New Delhi, the 4th December, 1965/Agrahayana 13, 1887 (Saka)

The following Acts of Parliament received the assent of the President on the 3rd December, 1965, and are hereby published for general information:—

THE INDIAN WORKS OF DEFENCE (AMENDMENT) ACT, 1965

No. 39 OF 1965

[3rd December, 1965]

An Act further to amend the Indian Works of Defence Act, 1903.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

1. This Act may be called the Indian Works of Defence (Amendment) Act, 1965. Short title.

2. In the Indian Works of Defence Act, 1903,—

(i) for sub-section (2) of section 1, the following sub-section shall be substituted, namely:—

“(2) It extends to the whole of India.”;

Amend-
ment of
Act 7 of
1903.

(ii) in Part I, after section 2, the following section shall be inserted, namely:—

Construc-
tion of
references
to laws
not in
force, or
any func-
tionary
not in
existence,
in any
area.

“2A. Any reference in this Act to any law which is not in force in any area or any reference therein to any functionary not in existence in any area shall, in relation to that area, be construed as a reference to the corresponding law, if any, in force, or to the corresponding functionary, if any, in existence, in that area.”.

THE RAILWAYS (EMPLOYMENT OF MEMBERS OF THE ARMED FORCES) ACT, 1965

No. 40 OF 1965

[3rd December, 1965]

An Act to make certain provisions relating to the employment of members of the Armed Forces of the Union in the working and management of railways.

BE it enacted by Parliament in the Sixteenth Year of the Republic of India as follows:—

Short title
and extent.

1. (1) This Act may be called the Railways (Employment of Members of the Armed Forces) Act, 1965.

(2) It extends to the whole of India.

Interpre-
tation.

2. Words and expressions used in this Act and defined in the Indian Railways Act, 1890, shall have the meanings respectively assigned to them in that Act.

9 of 1890.

Employ-
ment of
members
of Armed
Forces of
the Union
to assist a
railway
adminis-
tration in
connection
with the
service of
a railway

3. (1) When any member of the Armed Forces of the Union is employed to assist a railway administration in connection with the service of a railway, then, whether such employment was before or is after the commencement of this Act,—

(a) any provision of the Indian Railways Act, 1890, or of the rules made thereunder, which confers a power, status or immunity, or imposes a duty or liability, upon a railway servant, in connection with the working, use, management and maintenance of railways, shall be construed as conferring the same power, status or immunity or imposing the same duty or liability, as the case may be, upon such member of the Armed Forces of the Union when so employed;

9 of 1890

(b) the employment of a member of the Armed Forces of the Union, in addition to or in the place of any railway servant, shall not affect any liability that would have attached to the railway administration had such member been a railway servant.

(2) Nothing in sub-section (1) shall be construed as making applicable to the members of the Armed Forces of the Union employed to assist a railway administration the provisions of Chapter VIA of the Indian Railways Act, 1890, or as derogating from any provision of a law regulating the governance, control and discipline of the members of the Armed Forces of the Union.

9 of 1890.

Employment of members of Armed Forces of the Union to replace railway administration in working a railway.

4. If at any time the whole of the working, management and maintenance of a railway, or of a specific portion or section of a railway, is assumed by the Armed Forces of the Union, the Central Government may notify the fact of such assumption in the Official Gazette, and thereupon, so long as such assumption continues, the Indian Railways Act, 1890, shall cease to be applicable to the Railway or the portion or section of the Railway concerned.

9 of 1890.

Repeal and saving.

5. (1) The Railways (Employment of Members of the Armed Forces) Ordinance, 1965 is hereby repealed.

4 of 1965.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act as if this Act had commenced on the 29th day of September 1965.

R. C. S. SARKAR,
Secy. to the Govt. of India.

